

REMARKS/ARGUMENTS

In the Office Action the Examiner rejected claims 5, 13 and 17 under 35 U.S.C. § 112, second paragraph. Specifically the Examiner rejected claim 5 as there was no antecedent basis for "the grooves". Claim 5 has been amended to depend from claim 3 to provide a proper basis antecedent for this limitation in the claim. With regard to claim 13 the Examiner stated it was unclear as to what is meant by the expression "the surface of the friction lining (32v) rising or falling in the radial direction". Claim 13 has been amended to more clearly define this characteristic of the surface of the friction lining. In claim 17 the Examiner stated that there was no antecedent basis for "the raised surface area". Claim 17 has been amended to provide a proper antecedent basis for the raised surface area limitation. In view of the amendments to claims 5, 13 and 17 it is applicants' position that the rejections under 35 U.S.C. § 112 have been overcome and the Examiner is requested to withdraw this basis of rejection for the claims.

Claims 1-13, 6, 7, 16, 17 and 20 were rejection under 35 U.S.C. § 102 (b) as being anticipated by the Loeffler '360 reference. The Loeffler reference is directed to a clutch disk having an annular plate that is formed of spring material. A plurality of projecting portions are formed in the annular plate and the spring material of the plate provides the desired yielding qualities for these projections. Friction disks are mounted on the annular plate and on the projections formed in the annular plate. In operation the projections containing the friction disk are the first element to engage the adjacent clutch plate. As additional pressure is supplied the projections formed in the annular plate are displaced so that the contact with the friction disks on the annular plate, were the projections are not present, progressively engage the adjacent clutch plate. However, the Loeffler reference does not disclose or suggest the invention defined by applicants' claims wherein a raised surface of the friction material having a spring characteristic is displaced during the engagement or operation of a friction device. The applicants' invention utilizes a core plate for supporting the friction

material, including the raised surface of friction material having a spring characteristic. But the core plate of the applicants' invention is not formed of a spring material as disclosed in the Loeffler reference. In addition, there are no projections formed in the core plate where the projections are designed to yield during the utilization of the friction device. The Loeffler reference does not disclose or suggest a friction material having a spring characteristic as described in applicants' claims. The Loeffler reference obtains a degree of resiliency by displacing the projections on the backing plate for the friction element. This is different than the invention defined by applicants' claims where the core plate is rigid and the friction material has portions that have spring characteristics whereby the raised portions can be displaced during the utilization of the friction device. In fact, the structure disclosed by the Loeffler reference teaches away from the invention defined by applicants' claims. Accordingly, it is applicants' position that the Loeffler reference does not form a proper basis to reject the claims under 35 U.S.C. § 102 (b) and the Examiner is respectfully requested to withdraw this basis of rejection for the claims.

Claims 1-5, 12, 13 and 17-20 were rejected under 35 U.S.C. § 102 (b) as being anticipated by the Black '949 reference. The Black reference is directed to a clutch plate having a first layer which consists of friction material, a second layer which consists of a low compression modulus material, a third layer consisting of a high strength core, a fourth layer consisting of a lower compression modulus material and a fifth layer consisting of a friction material. The friction material on each side of the high strength core is embedded into the low compression modulus material position on each side of the core. The friction layers on each side of the core in the Black reference are disposed to be in the same plane. There is no raised area defined in the friction layer of this reference as the friction layer is equally spaced from the core plate. In addition, the friction layer on each side of the core plate is defined as being discrete metal particles such as sintered bronze powder and this friction layer is embedded in the coating of the low compression modulus material. The friction layer as disclosed in the Black reference does not have a spring characteristic and is not

capable of being displaced as defined in applicants' claims. The Black reference requires the use of a separate layer of a low compression modulus material that is separate from the friction lining formed by the metal particles. The Black reference does not disclose a friction lining having a spring characteristic were there is at least one raised area in the friction lining in comparison with the essentially planar surface of the friction lining as defined by applicants' claims. Accordingly, the Black reference does not disclose or suggest the invention defined by applicants' claims and the Examiner is respectfully requested to withdraw this basis of rejection for the claims.

Claims 1, 10 and 11 were rejected 35 U.S.C. § 102 (b) as being anticipated by the Lindquist '761 reference. The Lindquist reference is directed to a friction plate having a separate elastomeric separator means disposed around the clutch plate. The separator means extend above the surface of the friction facing material on the friction plate. However, the separator means are discrete elements formed of a different material than the friction lining on the friction plate. The separators defined by this reference are not part of the friction lining and there is no disclosure or suggestion in the Lindquist reference of a friction lining having an area of the friction lining having spring characteristics were that area is raised in comparison to the planar surface of the rest of the friction lining as defined in applicants' claims. In fact, the elastomeric separator means disclosed in the Lindquist patent requires a separate element that is different than the friction lining on the friction plate. The disclosure of the Lindquist reference teaches directly away from the invention defined by applicants' claims were the friction lining has a raised area having spring characteristics. The Lindquist reference does not disclose or suggest applicants' claimed invention and does not form a proper basis for rejection of the claims under 35 U.S.C. § 102 (b). Accordingly, the Examiner is requested to withdraw this basis of rejection for the claims.

Claims 13 and 14 were rejected under 35 U.S.C. § 110 (b) as being anticipated by the Wemp '016 reference. The Wemp reference is directed to a clutch having a disk with a plurality of wings that extend at an angle with respect to the plane of the

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disk. The material of the disk is selected to be springy so that the wings can be flexed for displaced with regard of the plane of the disk. There is a friction material positioned on the face of clutch disk but the friction material is not positioned on the wings that are formed on the disk. When the clutch is engaged there is a progressive flexing of the wings so that there is a progressive increase in the frictional engagement between the driven member and the frictional material on the clutch disk. However, there is no disclosure or suggestion in the Wemp reference of a friction lining having and essentially planar surface with at least one raised surface in comparison to the planar surface where the raised surface has a spring characteristic as defined by applicants' claims. Instead, the Wemp reference teaches a resilient element that does not contain a friction material nor define a raised area in a friction material and it is submitted that the Wemp reference teaches away from the invention defined by applicants' claims. The Wemp reference does not disclose or suggest applicants' claimed invention and this reference does not form a proper basis for rejecting the claims under 35 U.S.C. § 102 (b). Accordingly, the Examiner is respectfully requested to withdraw this basis of rejection for the claims.

In view of the amendments, arguments and distinction set forth in this Amendment it is applicants' positioned that the claims currently presented are patenably distinct over the references relied upon by the Examiner. Accordingly, a favorable action the claims is respectfully requested.

Respectfully submitted,
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